

Anticipated Classification  
of this Application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior Application:  
Examiner R. Raymond  
Group Art Unit 1624

Attorney's  
Docket  
No. 57107-AAA/JPW/ANX

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 6, 2003

22388 U.S.PTO  
10/702579

11063

SIR:

This is a request for filing a X CONTINUATION

       DIVISIONAL        CONTINUATION-IN-PART application under

X 37 C.F.R. §1.53(b) 37 C.F.R. §1.53(d), of pending prior application

Serial No. 09/873,746 filed on June 4, 2001 of

Donghui Cui, Margaret R. Davis, Michael Dunn, Ben E. Evans, Hanumath P. Kari, for  
Inventor(s) Bharat Lagu, Dhanapalan Nagarathnam, Kamlesh P. Vyas, and Kanyin Zhang

Dihydropyrimidines and Uses Thereof

Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.

2.        A verified statement to establish small entity status under 37 C.F.R. §1.9 and 1.27  
       is enclosed.

       was filed in the prior application and such status is still proper and desired (37 C.F.R. §1.28(a)).

3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	22-20	=	2	X	9	18	\$	\$ 36
Independent Claims	1-3	=	0	X	43 XXX	86 XXX	\$	\$ 0
Multiple Dependent Claims Presented:			Yes <u>X</u> No		145 XXX	290 XXX	\$	\$ 0
If the difference in Col. 1 is less than zero, enter "0" in Col. 2.							<u>BASIC FEE</u>	\$ 770
							<u>TOTAL FEE</u>	\$ 806.00

filings an application pursuant to this section expressly abandons the parent application.

Applicants: Donghui Cui, et al.  
U.S. Serial No.: Not Yet Known  
Filed: Herewith

Cont.Div.

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4.  The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.

Any additional filing fees required under 37 C.F.R. §1.16.

Any patent application processing fees under 37 C.F.R. §1.17.

The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).

5.  Three copies of this sheet are enclosed.

6.  A check in the amount of \$ 806.00 is enclosed.

7.  Cancel claims \_\_\_\_\_.

8.  Amend the specification by inserting before the first line the sentence: --This is a continuation division of application Serial No. \_\_\_\_\_, filed \_\_\_\_\_ .--

9.  3 Sheet(s) of informal  formal drawing(s) is/ are enclosed.

10.  Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

11.  Priority of application No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ (country) is claimed under 37 U.S.C. §119.

The certified copy of the priority application has been filed in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_ .

12.  The prior application is assigned of record to Merck and Co., Inc.; Synaptic Pharmaceutical Corporation.

13.  A preliminary amendment is enclosed. and Information Disclosure Statement including Exhibit A (PTO-1449) and Exhibit 1 (one reference)

14.  The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25, 702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29, 691) Wendy E. Miller (Reg. No. 35, 615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40, 837); Gary J. Gershik (Reg. No. 39,992); Richard F. Jaworski (Reg. No. 33,515); Elizabeth M. Wieckowski (Reg. No. 42,226); and Pedro C. Fernandez (Reg. No. 41,741)

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(a)  The power appears in the original papers in the prior application.

(b)  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c)  Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

15.  Also enclosed Express Mail Certificate of Mailing No.

EV 325703153 US dated November 6, 2003

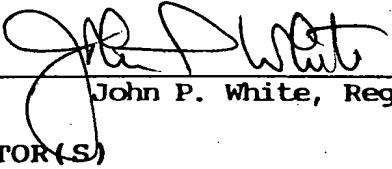
16.  I hereby verify that the attached papers are a true copy of prior application Serial No. 09/873,746 as originally filed on June 4, 2001.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

November 6, 2003

Date

Signature

 John P. White, Reg. No. 28,678

INVENTOR(S)

ASSIGNEE OF COMPLETE INTEREST

ATTORNEY OR AGENT OF RECORD

FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Donghui Cui, et al.  
U.S. Serial No. : Not Yet Known  
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1185 Avenue of the Americas  
New York, New York 10036  
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Mail Stop Patent Application  
Commissioner for Patents  
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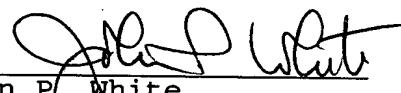
EXPRESS MAIL CERTIFICATE OF MAILING  
FOR ABOVE-IDENTIFIED APPLICATION

"Express Mail" mailing label number: EV 325 703 153 US  
Date of Deposit: November 6, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Printed Name: Jaynel Phuh

Respectfully submitted,

  
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